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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, CIVIL JURISDICTION

CIVIL APPLICATION NO.737 OF 2007
WITH
REVIEW PETITION STAMP NO.9070 OF 2006
IN
WRIT PETITION NO.3060 OF 2003

Shri T.Qureshi.....Petitioner

Vs.

The Union of India & Ors.....Respondents

CORAM: F.I. REBELLO &
J.P.DEVADHAR,JJ.
DATED: 2ND AUGUST, 2007

P.C.:

. There is a delay of nearly 2 years in filing the review petition. This Court dismissed the petitioner as filed relying on the judgment of the Supreme Court in Union of India & Ors. Vs. Krishna Reddy, 2003 (59() Revenue Law Times, 958. Our attention is also invited to the judgment of the Supreme Court in Union of India vs. R. Padmanabhan, 2003 (7) SCC 2790 where the Apex Court observed that a claim to reward must come strictly within the four corners of the Scheme, otherwise it would have to be dealt with only under the residuary clause. Moreover, being ex gratia, no right accrues to a claimant to any sum unless the same is determined and awarded. A claim to reward must be not only in terms of the guidelines and policy in

force on the date of consideration and actual grant but must be with reference to any indications in that regard in the scheme itself.

2. Considering the above, the judgment of the Supreme Court would be binding on the Authorities and the question, therefore of this Court condoning the delay or entertaining the Review Petition does not arise. If on completion of the proceedings any amount is recovered and the petitioner satisfies that he is so entitled then the respondents considering the law laid down by the Supreme Court will be bound to act according to law. With the above observations Civil Application and Review Application are disposed of.

(J.P. DEVADHAR, J.) **(F.I.REBELLO, J.)**